

1. Discovery Limitations

- (a) The parties agree that each shall be limited to 20 depositions (exclusive of expert depositions), each deposition not to exceed 7 hours or one day pursuant to Rule 30(a)(2)(A) and 30(d)(2) of the Federal Rules of Civil Procedure. The parties agree that they will consent to reasonable requests for additional depositions and, if necessary, jointly seek the consent of the Court.

2. Proposed Schedule

The parties agree that the case schedule should proceed as follows:

- (a) Motions to amend pleadings to add parties or claims shall be due ~~December 15, 2009~~ ¹¹ *returnable Jan 4, 2010*.
- (b) The close of fact discovery shall be on **March 2, 2010**.
- (c) Service of opening expert reports on issues for which a party bears the burden of proof shall be on **March 30, 2010**.
- (d) Service of rebuttal expert reports shall be on **April 27, 2010**.
- (e) The close of expert discovery and expert depositions shall be on **May 25, 2010**.
- (f) Service of opening briefs on dispositive motions shall be on **June 15, 2010**.
- (g) Service of opposition briefs on dispositive motions shall be due on **July 7, 2010**.
- (h) Service of reply briefs on dispositive motions shall be due on **July 21, 2010**.
- (i) *returnable July 30, 2010* Exchange of Rule 26(a)(3) Pretrial Disclosures shall be due six weeks prior to the Pretrial Conference date in section (k) below.
- (j) Objections to Rule 26(a)(3) Pretrial Disclosures shall be due three weeks prior to the Pretrial Conference date in section (k) below.
- (k) Final Pretrial Conference on *Sept 8, 2010 at 11AM* [to be filled in by the Court].
- (l) Trial will be held on *date to be set* [to be filled in by the Court].

M. Telephone status Conference to be initiated by Plaintiff: December 2, 2009 at 10AM.

Respectfully submitted:

By: _____

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DATED: August 26, 2009

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So Ordered this 22 day
of Sept, 2009



ORDER ON ORAL MOTION